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Dawn M. Sciarrino

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AUDIO SERVICES DIVISION
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Our File No.
0922-102-65

November 3, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

Reference: Moonbeam, Inc.

File No. BPH-91115MG

91115MG

Dear Ms. Searcy:

Transmitted herewith, on behalf of Moonbeam, Inc., are the original and four (4) copies of its Petition For Leave to Amend the above-referenced application.

If there are any questions in regard to this matter, kindly communicate directly with this office.

Yours very truly,

Dawn M. Sciarrino
Dawn M. Sciarrino

DMS:dlh
Enclosure

Before The
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In The Matter Of)
Moonbeam, Inc.)
For A New FM Broadcast Station)
on Channel 265A at Calistoga ,)
California)

File No. BPH-91115MG

91115MG

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AUDIO SERVICES
DIVISION

TO: The Mass Media Bureau

Petition for Leave to Amend

Moonbeam, Inc. ("Moonbeam") by its attorneys and pursuant to Sections 73.3522 and 1.65 of the Commission's Rules, hereby petitions for leave to amend its pending application for a new FM Broadcast Station on Channel 265A at Calistoga, California. In support thereof, the following is stated:

Discussion

Moonbeam seeks to amend its application to report the change of address of its Communications counsel and to report the appointment of its corporate secretary in response to Section II (Page 2) of FCC Form 301.

This amendment is submitted pursuant to Section 1.65 of the Commission's Rules which requires applicants to inform the Commission when the information "furnished in the pending application is no longer substantially accurate and complete...." 47 CFR § 1.65(a). An applicant

is responsible for the continuing accuracy of all information contained in its application.

The proposed amendment meets the test of *Erwin O'Connor Broadcasting, Co.*, 22 FCC 2d 140 (Rev.Bd. 1970). The proffered amendment reports a change of address for counsel and the appointment of an officer of the applicant. The acceptance of the amendment will not cause the addition of parties or issues to the proceeding; will not prejudice any party nor confer a competitive advantage on the applicant; nor will the amendment delay or disrupt the proceeding. Thus, good cause exists for the acceptance of the tendered amendment.

WHEREFORE, the premises considered, Moonbeam, Inc. respectfully requests that its Petition for Leave to Amend be granted and that the accompanying amendment be accepted.

Respectfully submitted,

MOONBEAM, INC.

By: *Dawn M. Sciarrino*

Lee W. Shubert

Dawn M. Sciarrino

Its Attorneys

HALEY, BADER & POTTS
Suite 900
4350 North Fairfax Drive
Arlington, VA 22203-1633
703/841-0606

November 3, 1992

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

AMENDMENT

Please amend the application of Moonbeam, Inc. (File No. BPH-911115MG), for authority to construct a new commercial FM broadcast station on Channel 265 at Calistoga, California, in the following respects:

RE MAILING ADDRESS AND TELEPHONE FOR COMMUNICATIONS COUNSEL: Change the mailing address and telephone number for communications counsel as follows:

Lee W. Shubert, Esq.
Haley, Bader & Potts
4350 North Fairfax Drive
Suite 900
Arlington, VA 22203-1633
Tel: 703/841-0606
Fax: 703/841-2345

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DIVISION

RE SECTION II (PAGE 2) LEGAL QUALIFICATIONS:
Substitute the Amended Section II (Page 2), submitted herewith, in lieu of the Section II (Page 2) that was previously submitted.

CERTIFICATION

I, Mary F. Constant, hereby certify that the statements contained in this amendment are true, complete and correct, to the best of my knowledge and belief, and are made in good faith. I also certify that no party to the application of Moonbeam, Inc., is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 853a.

Signed and dated this 26 day of October, 1992.

MOONBEAM, INC.

By Mary F. Constant
Mary F. Constant, President

Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
2. Citizenship.
3. Office or directorship held.
4. Number of shares or nature of partnership interests.
5. Number of votes.
6. Percentage of votes.
7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.
8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 76.501, including the nature and size of such interests and the positions held.

1.	Mary F. Constant Shoot the Moon Nicasio, CA 94946	Pat Van Paepeghum Hyndman Lane Blair County, ID 83333	
2.	USA	USA	
3.	President, Director	Secretary	
4.	10	0	
5.	10	0	
6.	100%	0	
7.	None	None	
8.	None	None	

Section II - LEGAL QUALIFICATIONS

Name of Applicant _____

1. Applicant is: (check one box below)

☐ Individual

☐ General partnership

☐ For-profit corporation

☐ Other

☐ Limited partnership

☐ Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

Exhibit No. _____

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date _____ Place _____

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant, including but not limited to, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, or debentures?

☐ Yes ☐ No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No. _____

5. Complete, if applicable, the following certifications:

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☐ Yes ☐ No

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐ Yes ☐ No

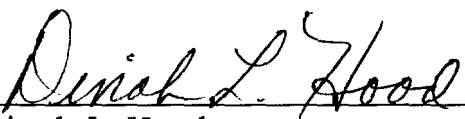
If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐ Yes ☐ No

CERTIFICATE OF SERVICE

The undersigned, an employee of Haley, Bader & Potts, hereby certifies that the foregoing document was mailed this date by First Class U.S. Mail, postage prepaid, or was hand-delivered*, to the following:

A. Wray Fitch III, Esq.
Gammon & Grange
8280 Greensboro Drive, 7th Flr.
McLean, VA 22102


Dinah L. Hood

November 3, 1992